

**JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION**

APR 20 2005

**FILED
CLERK'S OFFICE**

DOCKET NO. 1407

BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION
IN RE PHENYLPROPANOLAMINE (PPA) PRODUCTS LIABILITY
LITIGATION

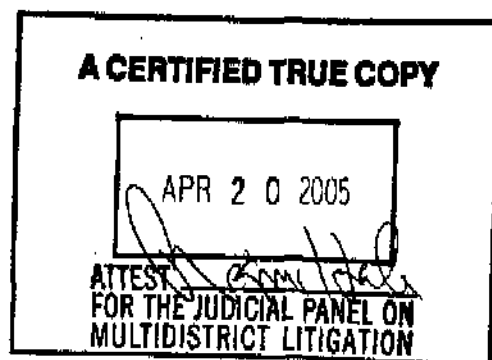
Michelle L. Bardlett v. Wyeth Consumer Healthcare, et al., W.D. Washington,
C.A. No. 2:03-224 (D. Nevada, C.A. No. 2:02-1373)

**ORDER LIFTING STAY OF CONDITIONAL REMAND ORDER
AND VACATING THE MAY 26, 2005 HEARING SESSION**

On January 14, 2005, the Panel filed an order conditionally remanding this action (*Bardlett*) to the District of Nevada pursuant to 28 U.S.C. § 1407(a). Prior to expiration of that order's fifteen-day stay of transmittal, defendants Bayer Corporation and Wyeth filed a notice of opposition to the proposed remand and the subsequent motion and brief to vacate the conditional remand order. Defendants have now advised the Panel that they withdraw their initial opposition to remand of *Bardlett*.

IT IS THEREFORE ORDERED that the stay of the Panel's conditional remand order filed on January 14, 2005, is LIFTED insofar as it relates to this action, and thus the action is remanded to the District of Nevada.

IT IS FURTHER ORDERED that the Hearing Session Order and the attached Schedule filed on April 20, 2005, are VACATED insofar as they relate to this action.



FOR THE PANEL:


Wm. Terrell Hodges
Chairman

**UNITED STATES OF AMERICA
JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**

CHAIRMAN:
Judge Wm. Terrell Hodges
United States District Court
Middle District of Florida

MEMBERS:
Judge John F. Keenan
United States District Court
Southern District of New York

Judge D. Lowell Jensen
United States District Court
Northern District of California

Judge J. Frederick Motz
United States District Court
District of Maryland

Judge Robert L. Miller, Jr.
United States District Court
Northern District of Indiana

Judge Kathryn H. Vratil
United States District Court
District of Kansas

Judge David R. Hanson
United States Court of Appeals
Eighth Circuit

DIRECT REPLY TO:

Michael J. Beck
Clerk of the Panel
One Columbus Circle, NE
Thurgood Marshall Federal
Judiciary Building
Room G-255, North Lobby
Washington, D.C. 20002

Telephone: (202) 502-2800
Fax: (202) 502-2888

<http://www.jpml.uscourts.gov>

April 20, 2005

FILED
LODGED
ENTERED
RECEIVED

APR 20 2005

Bruce Rifkin, Clerk
United States Courthouse
700 Stewart Street
Seattle, WA 98101

ALICE ATTE
CLERK U.S. DISTRICT COURT
BY WESTERN DISTRICT OF WASHINGTON DEPUTY

Re: MDL-1407 -- In re Phenylpropanolamine (PPA) Products Liability Litigation

Michelle L. Bardlett v. Wyeth Consumer Healthcare, et al., W.D. Washington, C.A. No. 2:03-224
(D. Nevada, C.A. No. 2:02-1373)

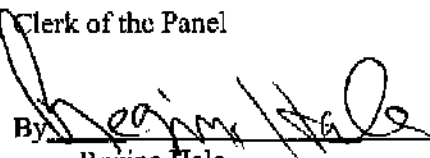
Dear Mr. Rifkin:

A conditional remand order was filed in the above-captioned action on January 14, 2005. Prior to the expiration of that order's fifteen-day stay, and, pursuant to Rule 7.4(c) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435 (2001), opposition to the proposed remand was filed and the conditional remand order was stayed until further order of the Panel. The opposition has now been withdrawn and I am therefore enclosing a certified copy and one additional copy of today's order lifting the stay of the conditional remand order and remanding the action pursuant to 28 U.S.C. § 1407. The order is directed to you for filing.

Pursuant to Rule 7.6(g), the parties are to furnish you with a stipulation or designation of the content of the records to be remanded and all necessary copies of any pleadings or other matter filed to enable you to comply with the remand order.

Very truly,

Michael J. Beck
Clerk of the Panel

By 
Regina Hale
Calendar Clerk

Enclosure

cc: Transferee Judge: Barbara Jacobs Rothstein
Transferor Clerk: Lance S. Wilson

JPML Form 69